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RESOLUTION NO. 11-073

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON 29TH STREET NORTH, FROM THE EAST LINE OF GREENWICH TO A POINT 295 FEET EAST OF THE NORTHEAST CORNER OF LOT 7, BLOCK 1 (EAST OF GREENWICH, SOUTH OF 29TH ST. NORTH) 472-84983 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON 29TH STREET NORTH, FROM THE EAST LINE OF GREENWICH TO A POINT 295 FEET EAST OF THE NORTHEAST CORNER OF LOT 7, BLOCK 1 (EAST OF GREENWICH, SOUTH OF 29TH ST. NORTH) 472-84983 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize constructing pavement on 29th Street North, from the east line of Greenwich to a point 295 feet east of the northeast corner of Lot 7, Block 1 (east of Greenwich, south of 29th St. North) 472-84983 Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to Two Hundred Sixty-Six Thousand Dollars (\$266,000) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after February 1, 2011, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

GREENWICH BUSINESS CENTER ADDITION

Lots 1 through 18, Block 1

Lots 1 and 2, Block 2

Lots 16 and 17, Block 3

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lot 1, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 353/10,000 of the total cost payable by the improvement district. Lot 2, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 445/10,000 of the total cost payable by the improvement district. Lot 3, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 365/10,000 of the total cost payable by the improvement district. Lot 4, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 565/10,000 of the total cost payable by the improvement district. Lot 5, Block 1, E 215'; GREENWICH BUSINESS CENTER ADDITION shall pay 306/10,000 of the total cost payable by the improvement district. Lot 5, Block 1, Exc E 215'; GREENWICH BUSINESS CENTER ADDITION shall pay 453/10,000 of the total cost payable by the improvement district. Lot 6, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 2025/10,000 of the total cost payable by the improvement district. Lot 7, Block 1, W 90'; GREENWICH BUSINESS

CENTER ADDITION shall pay 151/10,000 of the total cost payable by the improvement district. Lot 7, Block 1, Exc W 90'; GREENWICH BUSINESS CENTER ADDITION shall pay 288/10,000 of the total cost payable by the improvement district. Lot 8, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 370/10,000 of the total cost payable by the improvement district. Lot 9, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 390/10,000 of the total cost payable by the improvement district. Lot 10, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 316/10,000 of the total cost payable by the improvement district. Lot 11, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 316/10,000 of the total cost payable by the improvement district. Lot 12, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 311/10,000 of the total cost payable by the improvement district. Lot 13, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 317/10,000 of the total cost payable by the improvement district. Lot 14, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 310/10,000 of the total cost payable by the improvement district. Lot 15, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 336/10,000 of the total cost payable by the improvement district. Lot 16, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 335/10,000 of the total cost payable by the improvement district. Lot 17, Block 1; GREENWICH BUSINESS CENTER ADDITION shall pay 310/10,000 of the total cost payable by the improvement district. Lot 18, Block 1, W 250' of S 250'; GREENWICH BUSINESS CENTER ADDITION shall pay 337/10,000 of the total cost payable by the improvement district. Lot 18, Block 1, Exc W 250' of S 250'; GREENWICH BUSINESS ADDITION shall pay 140/10,000 of the total cost payable by the improvement district. Lot 1, Block 2; GREENWICH BUSINESS CENTER ADDITION shall pay 262/10,000 of the total cost payable by the improvement district. Lot 2, Block 2; GREENWICH BUSINESS CENTER ADDITION shall pay 333/10,000 of the total cost payable by the improvement district. Lot 16, Block 3; GREENWICH BUSINESS CENTER ADDITION shall pay 308/10,000 of the total cost payable by the improvement district. Lot 17, Block 3; GREENWICH BUSINESS CENTER ADDITION shall pay 358/10,000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the improvement district are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 5<sup>th</sup> day of April, 2011.

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CARL BREWER, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

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GARY E. REBENSTORF  
DIRECTOR OF LAW